

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

JULIANA LU,

Case No. 2:20-cv-00431-JAD-EJY

Plaintiff,

V.

## JAPAN,

**Defendant.**

## ORDER

10 Before the Court is Plaintiff's filing titled "Re Affidavit in Support for Extension of Time."<sup>1</sup>  
11 ECF No. 16.

12 Local Rule (“LR”) 7-2 permits the filing of a motion, a response, and a reply. A document  
13 not allowed by LR 7-2 or otherwise permitted by order of this Court is a fugitive document and must  
14 be stricken from the record. *Reiger v. Nevens*, No. 3:12-cv-00218-MM-VPC, 2014 WL 537613, at  
15 \*2 (D. Nev. Feb. 7, 2014). Here, Plaintiff Juliana Lu submitted an Affidavit prepared by the  
16 president of a process serving company she apparently retained to assist to effectuate service on  
17 Defendant, the country of Japan. ECF No. 16. However, Plaintiff failed to file a motion requesting  
18 an extension of time to serve Defendant and offers no points and authorities in support of the  
19 submitted Affidavit.

20 While the Court is empowered to strike the Affidavit as a fugitive document, it appears  
21 Plaintiff may be attempting to commence the service process on Japan in accordance with the Hague  
22 Service Convention. Thus, the Court, in its discretion, grants Plaintiff one thirty day extension of  
23 time to demonstrate that she is, in fact, actively seeking to serve Defendant in accordance with  
24 applicable law.

<sup>28</sup> The Court has made typographical changes to the title of Plaintiff's filing for the sake of clarity.

1 Accordingly,

2 IT IS HEREBY ORDERED that Plaintiff shall have **thirty (30) calendar days** from the date  
3 of this Order to commence actual service process on Defendant in accordance with the Hague  
4 Service Convention.

5 IT IS FURTHER ORDERED that Plaintiff shall file a status report with the Court, no later  
6 than **September 14, 2020**, identifying each step taken to effect such service.

7 IT IS FURTHER ORDERED that failure to demonstrate specific steps are being taken to  
8 serve process on Defendant through the Hague Service Convention may lead to a recommendation  
9 that Plaintiff's Complaint be dismissed without prejudice.

10 DATED THIS 11th day of August, 2020.

11   
12 ELAYNA J. YOUCRAH  
13 UNITED STATES MAGISTRATE JUDGE

14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28